

103D CONGRESS
1ST SESSION

H. R. 490

To provide for the conveyance of certain lands and improvements in Washington, District of Columbia, to the Columbia Hospital for Women to provide a site for the construction of a facility to house the National Women's Health Resource Center.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1993

Mr. TRAFICANT (for himself, Mr. MINETA, Mr. STARK, and Ms. NORTON) introduced the following bill; which was referred jointly to the Committees on the District of Columbia, Government Operations, and Public Works and Transportation

MARCH 3, 1993

Additional sponsors: Mr. DORNAN, Mr. HUTTO, Mr. McDERMOTT, Mr. FLAKE, Mrs. BYRNE, Mr. FRANK of Massachusetts, Mr. McHUGH, Mrs. MEEK, Mr. SANDERS, Ms. SNOWE, Mrs. MORELLA, Mr. CLYBURN, Ms. WOOLSEY, Mr. APPLGATE, Mr. COLEMAN, Ms. E.B. JOHNSON of Texas, Ms. BROWN of Florida, Mr. CARDIN, Mr. LEVIN, Ms. MOLINARI, Ms. DANNER, Ms. PELOSI, Mr. RAHALL, Mrs. LLOYD, Mrs. SCHROEDER, Ms. SHEPHERD, Mr. TUCKER, Mr. OBERSTAR, Mr. SCHUMER, Mr. VALENTINE, Mrs. COLLINS of Illinois, Mrs. VUCANOVICH, Mr. FAZIO, Mr. DELUMS, Mr. MORAN, Mr. PETERSON of Florida, Mr. CONYERS, Mr. FROST, Mr. EVANS, Miss COLLINS of Michigan, Mr. BARRETT of Wisconsin, Mr. RUSH, Mr. FILNER, Mr. BONIOR, Ms. MARGOLIES-MEZVINSKY, Mr. COX, Mrs. CLAYTON, Mr. HOYER, Mr. HINCHEY, Mr. EMERSON, Mrs. KENNELLY, Mr. LAFALCE, Ms. DELAURO, Ms. DUNN, Ms. CANTWELL, and Mr. WYNN

A BILL

To provide for the conveyance of certain lands and improvements in Washington, District of Columbia, to the Columbia Hospital for Women to provide a site for the

construction of a facility to house the National Women's Health Resource Center.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONVEYANCE OF LAND.**

4 (a) ADMINISTRATOR OF GENERAL SERVICES.—Sub-
5 ject to sections 2 and 4, the Administrator of General
6 Services (hereinafter in this Act referred to as the “Ad-
7 ministrators”) shall convey, for \$12,800,000 to be paid in
8 accordance with the terms set forth in subsection (d)(2)
9 and other consideration required by this Act, to the Co-
10 lumbia Hospital for Women (formerly Columbia Hospital
11 for Women and Lying-in Asylum; hereinafter in this Act
12 referred to as “Columbia Hospital”), located in Washing-
13 ton, District of Columbia, all right, title, and interest of
14 the United States in and to those pieces or parcels of land
15 in the District of Columbia, described in subsection (b),
16 together with all improvements thereon and appurtenances
17 thereto. The purpose of the conveyance is to provide a site
18 for the construction by Columbia Hospital of a facility to
19 house the National Women's Health Resource Center
20 (hereinafter in this Act referred to as the “Resource Cen-
21 ter”), as described in the Certificate of Need issued for
22 the Resource Center in conformance with District of Co-
23 lumbia law and in effect on the date of conveyance.

1 (b) PROPERTY DESCRIPTION.—The land referred to
2 in subsection (a) was conveyed to the United States of
3 America by deed dated May 2, 1888, from David
4 Fergusson, widower, recorded in liber 1314, folio 102, of
5 the land records of the District of Columbia, and is that
6 portion of square numbered 25 in the city of Washington
7 in the District of Columbia which was not previously con-
8 veyed to such hospital by the Act of June 28, 1952 (Public
9 Law 82–423). Such property is more particularly de-
10 scribed as square 25, lot 803, or as follows: all that piece
11 or parcel of land situated and lying in the city of Washing-
12 ton in the District of Columbia and known as part of
13 square numbered 25, as laid down and distinguished on
14 the plat or plan of said city as follows: beginning for the
15 same at the northeast corner of the square being the cor-
16 ner formed by the intersection of the west line of Twenty-
17 fourth Street Northwest, with the south line of north M
18 Street Northwest and running thence south with the line
19 of said Twenty-fourth Street Northwest for the distance
20 of two hundred and thirty-one feet ten inches, thence run-
21 ning west and parallel with said M Street Northwest for
22 the distance of two hundred and thirty feet six inches and
23 running thence north and parallel with the line of said
24 Twenty-fourth Street Northwest for the distance of two
25 hundred and thirty-one feet ten inches to the line of said

1 M Street Northwest and running thence east with the line
2 of said M Street Northwest to the place of beginning two
3 hundred and thirty feet and six inches together with all
4 the improvements, ways, easements, rights, privileges, and
5 appurtenances to the same belonging or in anywise apper-
6 taining.

7 (c) DATE OF CONVEYANCE.—

8 (1) DATE.—The date of the conveyance of
9 property required under subsection (a) shall be the
10 date which is 1 year after the date of receipt by the
11 Administrator of written notification from Columbia
12 Hospital that the hospital needs such property for
13 use as a site to provide housing for the Resource
14 Center.

15 (2) DEADLINE FOR SUBMISSION OF NOTIFICA-
16 TION.—A written notification of need from Columbia
17 Hospital shall not be effective for purposes of sub-
18 section (a) and paragraph (1) unless the notification
19 is received by the Administrator before the date
20 which is 1 year after the date of the enactment of
21 this Act.

22 (d) CONVEYANCE TERMS.—

23 (1) IN GENERAL.—The conveyance of property
24 required under subsection (a) shall be subject to
25 such terms and conditions as may be determined by

1 the Administrator to be necessary to safeguard the
2 interests of the United States. Such terms and con-
3 ditions shall be consistent with the terms and condi-
4 tions set forth in this Act.

5 (2) PAYMENT OF PURCHASE PRICE.—Columbia
6 Hospital shall pay the \$12,800,000 purchase price
7 in full by not later than the date of conveyance
8 under subsection (c).

9 (3) QUITCLAIM DEED.—Any conveyance of
10 property to Columbia Hospital under this Act shall
11 be by quitclaim deed.

12 (e) TREATMENT OF AMOUNTS RECEIVED.—Amounts
13 received by the United States as payment under this Act
14 shall be paid into, administered, and expended as part of
15 the fund established by section 210(f) of the Federal Prop-
16 erty and Administrative Services Act of 1949 (40 U.S.C.
17 490(f)).

18 **SEC. 2. LIMITATION ON CONVEYANCE.**

19 No part of any land conveyed under section 1 may
20 be used, during the 30-year period beginning on the date
21 of conveyance under section 1(c)(1), for any purpose other
22 than to provide a site for a facility to house the Resource
23 Center and any necessary related appurtenances to that
24 facility.

1 **SEC. 3. SATELLITE HEALTH CENTERS.**

2 (a) REQUIREMENT.—

3 (1) IN GENERAL.—Not later than 4 years after
4 the date of the conveyance under section 1, Colum-
5 bia Hospital, after consultation with the District of
6 Columbia Commission of Public Health and the Dis-
7 trict of Columbia State Health Planning and Devel-
8 opment Agency, shall establish, maintain, and oper-
9 ate 3 satellite health centers.

10 (2) PERSONS TO BE SERVED.—One of the sat-
11 ellite health centers shall provide comprehensive
12 health and counseling services exclusively for teenage
13 women and their children. The other 2 satellite
14 health centers shall provide comprehensive health
15 and counseling services for women (including teen-
16 age women) and their children.

17 (3) LOCATION.—The satellite health centers
18 shall be located in areas of the District of Columbia
19 in which the District of Columbia Department of
20 Public Health has determined that the need for com-
21 prehensive health and counseling services provided
22 by the centers is the greatest. In locating such cen-
23 ters, special consideration shall be given to the areas
24 of the District with the highest rates of infant death
25 and births by teenagers.

1 (b) COMPREHENSIVE HEALTH AND COUNSELING
2 SERVICES.—In subsection (a), comprehensive health and
3 counseling services include—

4 (1) examination of women;

5 (2) medical treatment and counseling of women,
6 including prenatal and postnatal services;

7 (3) treatment and counseling of substance
8 abusers and those who are at risk of substance
9 abuse;

10 (4) health promotion and disease prevention
11 services;

12 (5) physician and hospital referral services; and

13 (6) extended and flexible hours of service.

14 (c) REQUIRED CONSIDERATION.—The establishment,
15 operation, and maintenance of satellite health centers by
16 Columbia Hospital in accordance with this section shall
17 be part of the consideration required by this Act for the
18 conveyance under section 1.

19 **SEC. 4. REVERSIONARY INTEREST.**

20 (a) IN GENERAL.—The property conveyed under sec-
21 tion 1 shall revert to the United States—

22 (1) on the date which is 4 years after the date
23 of such conveyance if Columbia Hospital is not oper-
24 ating the Resource Center on such property; and

1 (2) on any date in the 30-year period beginning
2 on the date of such conveyance, on which the prop-
3 erty is used for a purpose other than that referred
4 to in section 2.

5 (b) REPAYMENT.—If property reverts to the United
6 States under subsection (a), the Administrator shall pay
7 to Columbia Hospital, from amounts otherwise appro-
8 priated from the fund established by section 210(f) of the
9 Federal Property and Administrative Services Act of 1949
10 (40 U.S.C. 490(f)), an amount equal to all sums received
11 by the United States as payments for the conveyance
12 under section 1, without interest on such amount.

13 (c) ENFORCING REVERSION.—The Administrator
14 shall perform all acts necessary to enforce any reversion
15 of property to the United States under this section.

16 (d) INVENTORY OF PUBLIC BUILDINGS SERVICE.—
17 Property that reverts to the United States under this sec-
18 tion—

19 (1) shall be under the control of the General
20 Services Administration; and

21 (2) shall be assigned by the Administrator to
22 the inventory of the Public Buildings Service.

23 **SEC. 5. DAMAGES.**

24 (a) DAMAGES.—Subject to subsection (b), for each
25 year in the 26-year period beginning on the date which

1 is 4 years after the date of conveyance under section
2 1(c)(1), in which Columbia Hospital does not operate 3
3 satellite health centers in accordance with section 3 for
4 a period of more than 60 days, the Columbia Hospital
5 shall be liable to the United States for damages in an
6 amount equal to \$200,000, except that this subsection
7 shall not apply after the date of any reversion of property
8 under section 4.

9 (b) LIMITATION IN DAMAGES.—The maximum
10 amount of damages for which Columbia Hospital may be
11 liable under this section shall be \$3,000,000.

12 (c) ADJUSTMENTS FOR INFLATION.—The amount of
13 damages specified in subsection (a) and the maximum
14 amount of damages specified in subsection (b) shall be ad-
15 justed biennially to reflect changes in the consumer price
16 index that have occurred since the date of the enactment
17 of this Act.

18 (d) ASSESSMENT AND WAIVER.—For any failure by
19 Columbia Hospital to operate a satellite health center in
20 accordance with section 3, the Administrator may—

21 (1) seek to recover damages under this section;

22 or

23 (2) waive all or any part of damages recover-
24 able under this section for that failure, if the Admin-
25 istrator—

1 (A) determines the failure is caused by ex-
2 ceptional circumstances; and

3 (B) submits a statement to the District of
4 Columbia Commission of Public Health and the
5 Congress, that sets forth the reasons for the de-
6 termination.

7 (e) CONVEYANCE DOCUMENTS.—The Administrator
8 shall include in the documents for any conveyance under
9 this Act appropriate provisions to—

10 (1) ensure that payment of damages under this
11 section is a contractual obligation of Columbia Hos-
12 pital; and

13 (2) require the Administrator to provide to Co-
14 lumbia Hospital notice and an opportunity to re-
15 spond before the Administrator seeks to recover such
16 damages.

17 **SEC. 6. REPORTS.**

18 During the 5-year period beginning one year after the
19 date of the conveyance under section 1, Columbia Hospital
20 shall submit to the Administrator, the appropriate com-
21 mittees of the Congress, and the Comptroller General of
22 the United States annual reports on the establishment,
23 maintenance, and operation of the Resource Center and
24 the satellite health centers.

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